

# Czech Office for Standards, Metrology and Testing



## Legal Developments in EU countries

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# **Legal Developments in EU countries**

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## Technical harmonization in EU during the Czech Presidency

*The Office presided the following dossiers (1.7.-31.12.2009)*

- ❖ **Proposal for a Directive of the European Parliament and of the Council on machinery for pesticide application**, amending Directive 2006/42/EC of 17 May 2006 on machinery
  - *1<sup>st</sup> reading agreement has been reached*
- ❖ **Proposal for a Regulation of the European Parliament and of the Council on cosmetic products (recast)**
  - *1<sup>st</sup> reading agreement has been reached*
- ❖ **Proposal for a Directive of the European Parliament and of the Council repealing Council Directives 71/317/EEC, 71/347/EEC, 71/349/EEC, 74/148/EEC, 75/33/EEC, 76/765/EEC, 76/766/EEC, and 86/217/EEC regarding metrology**
  - *there has been no agreement at the EU Council level*

## Technical harmonization in EU during the Czech Presidency

- ❖ **Proposal for a Regulation of the European Parliament and of the Council laying down harmonized conditions for the marketing of the construction products**
  - *passed to the following Swedish presidency*
- ❖ **Proposal for a Regulation of the European Parliament and of the Council on textile names and related labeling of textile products**
  - *passed to the following Swedish presidency*
- ❖ **Proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles**
  - *1<sup>st</sup> reading agreement has been reached* (CZ Permanent Representation presided)
- ❖ **Proposal for a decision on EC participation in the European Metrology Research and Development Programme undertaken by several Member States**
  - *1<sup>st</sup> reading agreement has been reached* (COSMT participated in negotiations)

## Summary

In the period of January to June 2009 the Office held:

- **33 formal WG G7 meetings** (one /two-day),
- **2 informal WG meetings,**
- **3 meetings at „Attachés“ level,**
- **10 technical meetings and**
- **4 informal dialogues together with the European Parliament.**

## CURRENTLY UNDER DISCUSSION

### CONSTRUCTION PRODUCTS

**Proposal for a Regulation of the European Parliament and of the Council laying down harmonized conditions for the marketing of the construction products**

#### *State of play*

On the date the Proposal is under EU Council 2nd reading. EP Draft recommendations for 2nd reading are under discussion at the Working party level. Indicative dates of voting in Plenary EP are 16.12.2010 or 23.1.2011.

#### *Key issues*

##### **Article 4 declaration of performance**

1. *When a construction product is covered by a harmonised standard or a European Technical Assessment has been issued for it, the manufacturer **shall** draw up a declaration of performance when such a product is placed on the market.*

## CURRENTLY UNDER DISCUSSION METROLOGY

### **Proposal for a Directive of the European Parliament and of the Council repealing Council Directives 71/317/EEC, 71/347/EEC, 71/349/EEC, 74/148/EEC, 75/33/EEC, 76/765/EEC, 76/766/EEC, and 86/217/EEC regarding metrology**

- **simplification the acquis of European law** by repealing obsolete legislative acts, which have little or no practical impact and therefore have become irrelevant – *legislation regarding water meters for non-clean water, alcohol meters and alcohol tables, medium and above-medium accuracy weights respectively, tyre pressure gauges for motor vehicles, standard mass of grain, calibration of ship tanks*

#### **State of play**

- compromise text** has been supported by **qualified majority** (i.e. the repealing only some of the 8 Directives and including the remaining under MID; postponing the date of repealing when the revision of MID is supposed to be completed and it is obvious whether there is a real need to include the relevant measuring instruments under MID.
- informal discussions with the European Parliament** are under way in order to reach the agreement in the 1<sup>st</sup> reading. Indicative date of the 1st reading is **22.11.2010**.

#### **Key items**

- obligation to include the developed correlation tables** into the text of the Proposal (key item for EP)
- EC pattern approval** ( to make clear the date for repealing the directive concerned)



## CURRENTLY UNDER DISCUSSION TEXTILE

### Proposal for a Regulation of the European Parliament and of the Council on textile names and related labelling of textile products

- simplification and improvement of the existing regulatory framework for the development and uptake of novel fibres, encouragement of innovation in the textile and clothing sector

#### *State of play*

- political agreement on the main principles** of the proposal has been reached (i.e. not to extend at this stage **the scope of mandatory labelling requirements** which would lead to time-consuming discussions and could therefore jeopardize the main aim of the proposal to simplify and improve the existing regulatory framework
- informal discussions with the European Parliament** are under way - **results of the European Parliament 1<sup>st</sup> reading are out of accord with the Council position**

#### *Key items*

- Country – of – origin marking
- animal derived products marking
- information on potential allergies
- range of product for which the labelling is not mandatory

## CURRENTLY UNDER DISCUSSION MOTOR VEHICLES

### Proposal for a Regulation of the European Parliament and of the Council on the approval of agricultural or forestry vehicles

- **harmonisation of the rules on the manufacture of agricultural and forestry vehicles** (tractors, trailers and towed equipment), **simplification and better regulation, enhancing the safety of vehicles** by introducing requirements for all categories

#### *State of play*

- under discussion at the Council working party level (as of 8th September)

#### *Key items*

- has not been identified yet

## CURRENTLY UNDER DISCUSSION MOTOR VEHICLES

### Proposal for a European Parliament and Council Regulation on the approval and market surveillance of two- or three-wheel vehicles and quadricycles

- **complexity of the legal framework** for L-category vehicles, harmonization of **the type-approval requirements**, alignment with the regulatory framework for other vehicles

#### *State of play*

- Commission presented its proposal at the Working party on 14th October
- discussion has not been started yet

#### *Key items*

- has not been identified yet

## **EU TECHNICAL LEGISLATION UNDER PREPARATION**

### **Review of the European Standardization System**

#### *The main goals*

- Avoiding new barriers to trade
- Improving access to harmonized standards
- Improving stakeholders access to the standards development process
- Improving Member State involvement in the EU standardization process
- Integration of WTO/TBT principles
- Strengthening the international impact of EU standardization
- Improving the transparency and credibility of European Standardization

## EU TECHNICAL LEGISLATION UNDER PREPARATION

### Review of the European Standardisation System

#### *State of play*

- The legislative proposal is under preparation at the Commission level
  - Submission to the Council and European Parliament is expected in the first half of the next year
  - The European Parliament has already presented its opinion
- *welcomes the Commission's intention*
- *emphasised that the proposed review should build on the strengths of the existing System*
- *does not agree with a number of policy options contained in the Commission's impact assessment study which would result in a complete overhaul of the system.*

## EU TECHNICAL LEGISLATION UNDER PREPARATION

### New Legislative Framework for the marketing of products: Proposal to align ten product harmonisation directives to Decision 768/2008

The intention is to present a package of **ten individual recast proposals** that will be accompanied by a „chapeau“ communication

#### *State of play*

- Commission's sector specific expert groups have already discussed the aligned versions
- In general, there is overall support for the alignment exercise, however, certain adaptations on various parts are considered necessary for almost all directive.

## EU TECHNICAL LEGISLATION UNDER PREPARATION

### Directives forming part of the alignment package

- **Directive 2006/95/EEC on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits**
- **Simple Pressure Vessels Directive:** Council Directive 2009/105/EC on the harmonisation of the laws of the Member States relating to simple pressure vessels
- **Non-automatic Weighing Instruments Directive:** Directive 2009/23/EC of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to non-automatic weighing instruments (codified version)
- **Civil Explosives Directive:** Council Directive 93/15/EEC on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil use
- **ATEX Directive:** Directive 94/9/EC of the European Parliament and the Council on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres
- **Lifts Directive European Parliament and Council** Directive 95/16/EC of 29 June 1995 on the approximation of the laws of the Member States relating to lifts

## EU TECHNICAL LEGISLATION UNDER PREPARATION

### Directives forming part of the alignment package

- **Pressure Equipment Directive:** Directive 97/23/EC of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment
- **Measuring Instruments Directive:** Directive 2004/22/EC of the European Parliament and of the Council on measuring instruments
- **Electromagnetic Compatibility Directive:** Directive 2004/108/EC on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC
- **Pyrotechnic articles** Directive 2007/23/EC on the placing on the market of pyrotechnic articles.

# Czech Office for Standards, Metrology and Testing



**Thank you for your attention**

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